

Entered - 08-01-01 - sb
CL 01L0493 - GWENDOLYN BURNS

CLAIM OF: **JOHN HALL**
2634 Arrowood Drive
Atlanta, Georgia 30344

01- *P* -1398

For vehicular damages alleged to have been sustained as a result of an automobile accident on July 24, 2001 at Rockwood Road, NW and H.E. Holmes Drive, NW.

**BY PUBLIC SAFETY AND LEGAL ADMINISTRATION
COMMITTEE:**

BE IT RESOLVED by the Council of the City of Atlanta that the action of the Department of Law be approved in authorizing payment to **JOHN HALL** the sum of \$1,119.35 in full settlement and satisfaction of all claims, past, present and future, of every kind and character for vehicular damages alleged to have been sustained as a result of an automobile accident on July 24, 2001 at Rockwood Road, NW and H.E. Holmes Drive, NW as is more particularly set forth in the within claim; said sum taken from and charged to account 1A01/529017/T31001, Settlement of Suits and Claims, Department of Law.

APPROVED: SUSAN PEASE LANGFORD
CITY ATTORNEY

BY: 
ROSALIND RUBENS NEWELL
DEPUTY CITY ATTORNEY

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 01L0493

Date: August 24, 2001

Claimant /Victim JOHN HALL
BY: (Atty) (Ins. Co.) _____
Address: 2634 Arrowood Drive, Atlanta, Georgia 30344
Subrogation: _____ Claim for Property damage \$ 1,200.00 Bodily Injury \$ _____
Date of Notice: 7/30/01 Method: Written, Proper X Improper _____
Conforms to Notice: O.C.G.A. §36-33-5 _____ X Ante Litem (6 Mo.) _____ X
Date of Occurrence 7/24/01 Place: Rockwood Road, NW & H.E. Holmes Drive, NW
Department PARKS, RECREATION & CULTURAL AFFAIRS Division Parks
Employee involved Keena L. Brooks Disciplinary Action: Terminated on 7/30/01

NATURE OF CLAIM: Claimant's vehicle sustained damage when it was backed into by a city vehicle. The city employee was cited for "improper backing".


INVESTIGATION:

Statements: City employee _____ Claimant _____ Others _____ Written _____ Oral _____
Pictures _____ Diagrams _____ Reports: Police X Dept Report _____ Other _____
Traffic citations issued: City Driver X Claimant Driver _____
Citation disposition: City Driver _____ Claimant Driver _____

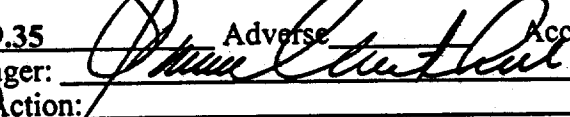
BASIS OF RECOMMENDATION:

Function: Governmental X Ministerial _____
Improper Notice _____ More than Six Months _____ Other _____ Damages reasonable X
City not involved _____ Offer rejected _____ Compromise settlement X
Repair/replacement by Ins. Co. _____ Repair/replacement by City Forces _____
Claimant Negligent _____ City Negligent X Joint _____ Claim Abandoned _____

Respectfully submitted,


INVESTIGATOR - GWENDOLYN BURNS

RECOMMENDATION:

Pay \$ 1,119.35 Adverse _____ Account charged: 1A01 X 2J01 _____ 2H01 _____
Claims Manager:  Concur/date 08-30-01
Committee Action: _____ Council Action _____

COUNCIL OF THE CITY OF ATLANTA
MUNICIPAL CLERK
City Hall
55 Trinity Avenue, S.W.
Atlanta, Georgia 30335

BURNS
07/30/01
RE: CLAIM FOR DAMAGES *DN*

Today's Date: 7-30-01

012051018

Dear Municipal Clerk:

ENTERED - 8-1-01 - SB
0110493 - GWEN BURNS

This is to notify the City of Atlanta that I have suffered damages in the amount sum of \$ 1,200 property and/or \$ N/A bodily injury for which I contend the City is liable.

1. Date of incident: 7-26-01 2. Time of Incident: 12 Noon 3. Police called: ☒ Yes ☐ No
(month/day/year)

4. Location of incident (including street address): H.E. Homes

5. Name of your insurance company: Allstate Insurance Policy No. 015219639

6. State what and how incident occurred: Atlanta City Van # 20357 Backed into my vehicle while @ a stop sign. City vehicle backup to let another vehicle turn on to the street we were sitting, I blew my horn to get city to stop in backing on to my vehicle.

7. ALL ESTIMATES AND DAMAGES ARE SUBJECT TO INSPECTION. THE MAKING OF FALSE CLAIMS WILL RESULT IN YOUR CLAIM BEING DENIED AND MAY RESULT IN CRIMINAL PROSECUTION!

8. The registered owner must make the claim for vehicle damages, complete the following and attach two (2) estimates of repair and proof of ownership of your vehicle (copy of the current tag receipt or title).

Your vehicle: Buick 1998 John Hall
(Make) (Year) (Tag Number) (Driver's Name)

City vehicle: _____
(Make) (City Driver's Name) (Department/Bureau)

9. Witness: _____
(Name) (Address) (Telephone Number)

10. The acknowledgment of this claim in no way waives the Sovereign immunity of the City of Atlanta, as granted by State law, nor is it an admission of liability on behalf of the City of Atlanta and/or its employee(s).

11. This claim should be mailed immediately to the address shown above.

I HEREBY SWEAR OR AFFIRM THAT THE ABOVE INFORMATION IS TRUE AND CORRECT.

John Hall
Signature of Claimant

John Hall
(Print Claimant's Name)

2634 Arrowood Drive
(Address)

Atlanta, GA. 30344
(City, State and Zip Code)

404-349-6339
(Work Number) (Home Number)

394-1274

GENERAL RELEASE AND INDEMNIFICATION

CLAIM NUMBER 01L0493

\$ 1,119.35

IN CONSIDERATION of the sum of ONE THOUSAND, ONE HUNDRED AND NINETEEN AND 35/100 DOLLARS, to be paid to me by the CITY OF ATLANTA, the future receipt of which is hereby acknowledged, I do hereby, for myself, my heirs, executors, administrators, and assigns, release and forever discharge said City, its officers and employees, including but not limited to Keena L. Brooks, from any and all claims, demands, actions, causes of action, suits, damages, loss and expenses, of whatsoever kind or nature for or on account of anything that has heretofore occurred, and particularly for or on account of an automobile accident

which occurred on or about the 24th day of July, 2001
at or near Rockwood Road, NW and H.E. Holmes Drive, NW

It is further understood and agreed that the payment of the above named sum is not to be considered as an admission on the part of the City, its officers, agents, servants or employees, of any liability whatsoever and the undersigned further covenants and agrees to indemnify and hold harmless the City of Atlanta, its officers, agents, servants and employees, from any and all claims, damages or costs which the said City of Atlanta, its officers, agents, servants and employees, may be called upon to make as a result of the event hereinbefore referred to.

And I now state that the only consideration for my signing this release and indemnification is the payment of the sum stated above; that no other promise or agreement of any kind or nature has been made to or with me by said City or its agents to cause me to sign this release, and that I fully understand the meaning and intent of this instrument.

WITNESS my hand and seal this 08 day of 2/, 2001

Notary Public for the State of Georgia
My Commission Expires September 14, 2003

John Hall (LS)
JOHN HALL

The above release was read and explained to, and signed by the said _____

_____ in our presence on the date above written.

Harold L. Sims
Notary Public for the State of Georgia
My Commission Expires September 14, 2003

WITNESSES